
A BILL FOR AN ACT

RELATING TO PROCUREMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The procurement task force was established
2 pursuant to Senate Concurrent Resolution No. 92, S.D. 2 (2013),
3 to study the cost impacts that the procurement process has had
4 for public works construction projects as well as the existing
5 bid preferences in relation to promoting economy, efficiency,
6 effectiveness, and impartiality in state and county procurement.
7 The expertise of such a task force is needed to study the issue
8 of past performance to better understand how that information
9 should be used in the procurement process. The purpose of this
10 Act is to work toward increasing transparency and accountability
11 in public contracts by continuing the work of the task force to
12 examine the issue of past performance.

13 SECTION 2. (a) The comptroller shall continue to convene
14 the procurement task force established pursuant to Senate
15 Concurrent Resolution No. 92, S.D. 2 (2013) to study the cost
16 impacts that the procurement process has had for public works
17 construction projects, and specifically to examine and recommend
18 past performance standards and statewide processes in order to



1 promote economy, efficiency, effectiveness, and impartiality in
2 procurement for state and county governments.

3 (b) The comptroller, or the comptroller's designee, shall
4 continue to serve as chair of the task force.

5 (c) The comptroller shall solicit representatives from the
6 following entities to serve on the task force; provided that
7 those persons designated shall be knowledgeable of procurement
8 procedures and issues within their respective organizations:

- 9 (1) The state procurement office;
- 10 (2) The University of Hawaii;
- 11 (3) The department of education;
- 12 (4) The office of Hawaiian affairs;
- 13 (5) The department of transportation;
- 14 (6) A county procurement department;
- 15 (7) A county board or department of water supply;
- 16 (8) The semi-autonomous public transit agency of the city
17 and county of Honolulu;
- 18 (9) The Subcontractors Association of Hawaii;
- 19 (10) The General Contractors Association of Hawaii;
- 20 (11) The Hawaii Building and Construction Trades Council;
- 21 (12) AFL-CIO;



1 (13) The Hawaii Construction Alliance; and

2 (14) All other persons as applicable.

3 (d) The task force shall identify and propose amendments,
4 if any, to the state procurement code that may better promote
5 economy, efficiency, effectiveness, and impartiality in the
6 procurement of public works construction projects, specifically
7 regarding statewide past performance standards and processes.

8 (e) Task force members shall serve without compensation
9 but shall be reimbursed for all necessary expenses, including
10 travel expenses, that are incurred in the performance of their
11 duties as members of the task force.

12 (f) The task force shall submit a report of its findings
13 and recommendations, including any proposed legislation, to the
14 legislature no later than twenty days prior to the convening of
15 the regular session of 2016.

16 (g) The task force convened pursuant to this Act shall
17 cease to exist on June 30, 2016.

18 SECTION 3. This Act shall take effect on July 1, 2030.



Report Title:

Procurement Code; Past Performance; Task Force

Description:

Extends the procurement task force to identify and propose amendments, if any, to the procurement code that may better promote economy, efficiency, effectiveness, and impartiality in the procurement of public works construction projects, specifically regarding statewide past performance standards and processes. Effective 7/1/2030. (SD2)

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